

EXHIBIT 2



GRAND RAPIDS POLICE DEPARTMENT

INCIDENT REPORT FORM

Inc Number
21-018129

Report Date/Time 03/26/2021 / 22 45 hrs	Date/Time - Between /	and/or On 03/26/2021 /	Original Reporting Officer Garrett, Joseph #353
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Offense Descriptions	Offense Code	Attempt	PT	WT	BM	TA	PN
1. Field Contact Report	9630	Local	C				
2.							
3.							
4.							

Location of Incident	HALL ST SW	Beat Area S7	<input type="checkbox"/> Alcohol Related
Intersection	DIVISION AV S	Grand Rapids MI	<input type="checkbox"/> Drug Use Suspected
			<input type="checkbox"/> Computer Involved

INVESTIGATION DETAILS				RELATED INCIDENT NUMBERS / TITLES	
Invest. Type MCT1	Status 08-Completed	Date Assign 3/27/2021		Rel. Inc Num.	Off Code Offense Title
Investigator Assigned		Disposition	Solve 50		
Invest. Supv. Review By					

Assisting Officers

Parties Involved

Subject Status Suspect	Last Name, First, Middle COLE, CLIFFORD B/M	Age 33 to	Race B	Sex M	DOB 04/07/1987	Eyes	Hair
Hall St Sw Grand Rapids MI		Ht to	Wt to	Ask-in Date / Time /			
Positive ID Type	State ID Number	Phone Type	Phone Number	Additional & Clothing Description			

Subject Status Other	Last Name, First, Middle CHESTER, JARVIS B/M	Age 13 to	Race B	Sex M	DOB 05/23/2007	Eyes	Hair
3720 Newcastle Dr Se Grand Rapids MI		Ht to	Wt to	Ask-in Date / Time /			
Positive ID Type	State ID Number	Phone Type Home	Phone Number (616) 653-5308	Additional & Clothing Description			

Subject Status Other	Last Name, First, Middle COLE, JASON B/M	Age 14 to	Race B	Sex M	DOB 02/09/2007	Eyes	Hair
2026 Innwood Dr Se Grand Rapids MI		Ht to	Wt to	Ask-in Date / Time /			
Positive ID Type	State ID Number	Phone Type Cell	Phone Number (616) 780-3971	Additional & Clothing Description			

Report Date/Time 03/26/2021 / 22 45 hrs	Date/Time - Between /	and/or On 03/26/2021 /	Inc Number 21-018129

Vehicles Involved									
Veh Status	Color	Veh. Yr	Make	Model	Body	Plate	Tag Yr	State	
Suspect	WHI	2021				BK35087		IL	
Insurance Co.				VIN	Additional Description / Notes rental				

Property Involved

Narrative	Reporting Officer:
Rpt Date / Time: 3/26/2021 / 22:45	Garrett, Joseph #353

Officer Bauer, Officer Dijon Jones, Officer Zane Garnsey, Sgt. McCamman, Sgt. Abraham, Officer Umanos, and I were assisting Vice Officers with the stop of the listed vehicle. Lt Jon Wu had observed this exact vehicle on Snap Chat with 2 BMs about 16-18 years old depicting themselves as "chicken boys" - a local gang.

The young men were seen holding hand guns in this vehicle on 03/25/21. Lt. Wu asked us to stop the vehicle for further investigation. We executed a high risk stop. I was hands free as other Officers held cover. We ordered the driver, Clifford Cole, out at gunpoint and back in our direction. I took him into custody (hc/pc/dl) and placed him in Officer Umanos' cruiser.

We then ordered passenger subjects, Jarvis and Jason back and into cruisers, not handcuffed.

Lt. Ungrey and I spoke with Lt. Wu and he believed the kids to be 16/17/18 year old kids in the rap/gun video. Clifford would not provide us consent to search the vehicle. He advised that he has rented the vehicle for 3 months.

We advised him our reason for the stop, the video, and Cole replied, "It was probably real guns they had, Jay and Jason".

We cleared.

Narrative	Reporting Officer:
Rpt Date / Time: 3/26/2021 / 22:10 Follow-Up Report	Vanvliet, Theodore #098

On this date and time I responded to a high risk traffic stop in the area of Division Ave S and Hall St. I deployed K9 Dozer and had him guard until driver was secured. At that point it was determined only 13 year olds remained in the vehicle. I immediately put K9 back in the patrol car.

Nothing further

Report Date/Time 03/29/2021 / 14 01 hrs	Date/Time - Between /	and/or On 03/26/2021 /	Inc Number 21-018129
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Narrative

Rpt Date / Time: 3/29/2021 / 14:01 Follow-Up Report

Reporting Officer:

Ungrey, Matthew #580

Follow up by Lt. Matt Ungrey #580

I was working an Operation Safe Streets event focusing on violent crime and weapons violations along with other Grand Rapids units.

We were advised that the listed Durango was involved with juveniles displaying weapons on social media the previous day.

Due to the presence of weapons a high-risk traffic stop was conducted with multiple units.

The driver was asked out of the vehicle and walked back to our cruisers. He advised that his young nephews were in the car. I asked for their names and called them back one at a time. As they were coming back I assured them that we were not going to hurt them.

I requested that the officers on scene place them in cruisers without hand cuffing them.

A short time later a gentleman arrived on scene and advised that he was the grandfather of one of the young men. I explained why we had stopped the vehicle and taken the precautions that we did. He told me that he had seen a similar social media post involving both of the young men playing with guns approximately a month ago and he was very upset about it.

Officers requested to search the vehicle for weapons and the driver denied consent. All occupants were released.

Narrative

Rpt Date / Time: 10/20/2021 / 14:41 Follow-Up Report

Reporting Officer:

On 03/25/2021, I observed a Snapchat account of Royalty Johnson 09/17/2002, user name of "royallucciano", and screen name of "LMG Roski". Royalty, has posted multiple different videos and photos of him and others carrying firearms in the past along with various drugs being used and sold. Royalty is a know "LMG" "1K Chicken Boyz" affiliate and multiple Intel emails have been sent out in regards to this group which included Royalty Johnson photo and information. On the 25th, Royalty posted on his Snapchat public story a video of him pointing a gun at his camera while riding around in a vehicle. In the following photos after that video he posted another photo of him in front of two different new model Dodge Durango's. The two newer model Dodge Durango's were white in color and silver in color. He also posted more videos of him inside of a vehicle which appeared to be the interior of a newer Dodge Durango.

That same night, I observed two newer model Dodge Durango's which were white and silver in color near the corner of Oakdale and Eastern. Both vehicles were parked in close proximity to each other and both appear to be occupied. We conducted surveillance on both vehicles when we observed a younger black male exit the passenger side of the white Dodge Durango. The subject who exited the vehicle matched the description of Royalty Johnson. It should be noted that Royalty Johnson is approximately 5'08 and 145 pounds. Royalty, in his Snapchat video that I observed had shorter hair with small twisted like braids which matched The subject who exited the white Dodge Durango.

Once that subject Re-entered the vehicle we began to follow the vehicle. During that time we were able to observe a plate which was an out-of-state plate from Illinois BK35087. We were unable to get a traffic stop on that vehicle at the time to due to the high call volume.

Narrative

Rpt Date / Time: 10/22/2021 / 11:45 Follow-Up Report

Reporting Officer:

On 3/26/21, I was assisting with an enforcement operation that's objective was to reduce the violence that had increased in the city over the last year. I was advised that the listed Dodge Durango was observed in some Snapchat videos/pictures that depicted Royalty Johnson possessing a handgun. Det. [REDACTED] had seen Johnson in the Durango on Oakdale St. and Eastern Ave. the previous night, but uniformed officers were too bust to assist with a traffic stop.

At approximately 2200 hours, I observed the Durango parked on the east side of Marshall Ave, facing south (left to curb violation), just north of Hall St. I confirmed the license plate was the one Det. [REDACTED] had seen the night before. The vehicle was occupied and running. I could see a driver and front seat passenger, but due to it being dark and my window tint, I could not identify the occupants, race, gender or age.

I attempted to set up surveillance on the vehicle from south of Hall St., but the vehicle began moving prior to me getting in position. I observed it fail to come to a complete stop on Marshall Ave at Hall St. before it turned west. I advised the other units of the vehicle's location and a traffic stop was initiated shortly afterward. I had no contact with the occupants.

EXHIBIT 3

Caught on camera again: GRPD draws down on teens

[GRAND RAPIDS](#)

by: [Barton Deiters](#)

Posted: Mar 16, 2019 / 03:16 AM EDT / Updated: Mar 16, 2019 / 03:30 AM EDT

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GRAND RAPIDS, Mich. (WOOD) — Another video that has surfaced of Grand Rapids police officers drawing down on teens on the streets is drawing concern a year after the department says it instituted a policy to curtail these kinds of interactions.

A man who lives in the Roosevelt Park neighborhood in southwest Grand Rapids became concerned when he saw police on his street pulling guns on kids, so he pulled out his phone.

The man filming the video posted it on Facebook, but did not want to go on camera. But he can be heard in the video after police pulled their weapons on the two boys, ages 15 and 16, around 6 p.m. Monday on Lynch Street north of Burton and east of US-131.

Police would not go on camera, but the department released a statement saying they stopped the boys as they were walking on the street instead of the sidewalks, which violates a city ordinance.

The statement said officers had been assigned to spend extra time in that neighborhood due to the high number of violent crimes and due to consistent gang graffiti that indicates potential violence.

Police say after telling the boys to walk on the sidewalk, the officer asked for their names and identification and the boys refused to provide it, walking away instead.

The officer decided to arrest the teens for refusing to cooperate with a lawful command and told them to stop. When they refused again, the officer grabbed the arm of one of the boys who pulled away and allegedly reached behind his back, leading the officer to draw down on the boys.

"We don't know the details, Barton, we have a lot of questions here," said ACLU attorney Miriam Aukerman. "What we do know is that the GRPD has a history of pulling guns on kids of color."

It's been one year since GRPD instituted the so-called "**Honestie Policy**" that came after police were recorded **forcing a shrieking 11-year-old girl into a police car**.

The policy called for police to consider using other means than pulling a gun when dealing with minors.

"The GRPD keeps saying it is going to change, going to treat children like children, but this video, from what we can see so far, sure looks like more of the same," Aukerman said.

Police say one of the boys was taken home after being handcuffed and another was taken to juvenile detention and charged with resisting police.

"Changes in paper policies by the GRPD just haven't translated into changes on the street, changes our community, changes in the way kids are actually being treated, kids of color, and so it's really time for some real change," Aukerman said.

The statement from Grand Rapids police reads:

"This is a good opportunity to remind the community that officers' actions are determined by the individual they are having contact with. Officers are trained to pick up on an individual's cues and escalate and deescalate based on their actions."

"We also know that had these been white kids walking down the street, this would never have happened," Aukerman said.

24 Hour News 8 is working to get more information, including body camera footage from GRPD.

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EXHIBIT 4

COMPLAINT DISPOSITION REPORT

INTERNAL AFFAIRS UNIT
Grand Rapids Police Department
1 Monroe Center NW
Grand Rapids, MI 49503

COPY

DATE OF DISPOSITION May 11, 2021	DATE OF COMPLAINT April 1, 2021	DATE OF INCIDENT March 26, 2021	COMPLAINT NUMBER CR21-053
COMPLAINANT NAME Lorre Denise Madison	ADDRESS 1224 Van Auken Street SE. Grand Rapids, MI 49508	TELEPHONE NUMBER (616) 291-0384	
EMPLOYEE(S) INVOLVED (rank, name, badge number) Lieutenant Matthew Ungrey [580]			

NATURE OF COMPLAINT: Violation of Youth Interaction Policy / Violation of VARD (Video Audio Recording Device) Procedure

INVESTIGATED BY: Captain Matthew Ostapowicz

INVESTIGATIVE FINDINGS

Initial Complaint

Lorre Madison filed an online complaint with the Internal Affairs Unit on April 1, 2021. In it, she was inquiring about the incident that happened on March 26, 2021, reference three male subjects who were in a vehicle that was stopped by the GRPD. Madison's concern centered on how the two minors (one of whom was her grandson, Jarvis Chester Jr) were handled and why no parent or guardian was contacted.

I was made aware of Madison's complaint and was assigned to investigate. This complaint was made reference a stop that the Special Response Team (SRT) conducted during Operation Safe Neighborhoods, on March 26, 2021. This traffic stop was during a proactive operation targeting violent criminals, illegal firearms, and Violation of the Controlled Substance Act (VCSA) related activities.

Review – High Risk Traffic Stop

A vehicle stop was requested by Vice detectives and SRT officers conducted the traffic stop, based on information about a firearm in the vehicle. A high risk stop was conducted and two juveniles and one adult were present inside the car. The juveniles were not secured in handcuffs. Lieutenant Ungrey was not the primary officer on the stop, but simply arrived in a support role.

After the stop was complete, it was undetermined if there was a firearm in the car, as the driver would not consent to a search of the vehicle. While conducting file checks and other business of the stop, a gentleman approached Lieutenant Ungrey and told him that he was the grandfather to one of the male juveniles. It should be noted that the driver of the car was an uncle to one of the juveniles, as well.

At this point, all subjects were released from the scene and a report (21-018129) was completed. Lieutenant Ungrey wrote a follow up to the incident, but failed to document the name of the gentleman he spoke to.

Review – Body Worn Camera (BWC) Footage

Through my investigation, it was determined that Lieutenant Ungrey did not have his BWC on his person at the time of the stop or contact.

Interview Declined – Lieutenant Matthew Ungrey

I met with Lieutenant Ungrey on May 3, 2021, and he declined the request for a Section 8 hearing. He stated that he, in fact, realized he was in violation of the GRPD policies.

Contact – Complainant Lorre Madison

I contacted Lorre Madison on April 26, 2021, at 0845 hours, via telephone, and asked her about the complaint. She would not elaborate on the complaint, other than to tell me that her attorney is handling it and that person would contact the GRPD. When I spoke to Madison, she appeared to have just woken up. The only other pertinent portion of the conversation was that when I asked Madison about her relationship to the juveniles, she stated she was a concerned citizen, and not a parent.

Summary

After reviewing the documents related to this incident, it was determined that Lieutenant Ungrey did not, in fact, contact either of the parents or guardians of the juveniles, as directed by the department's Youth Interaction Policy, nor did he assign this task to any of the officers on the stop. He also did not have his BWC on his person at the time of this stop or contact.

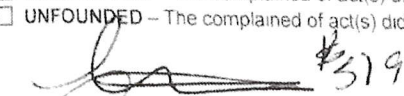
Based on these facts, the allegations of **VIOLATION OF YOUTH INTERACTION POLICY** and **VIOLATION OF VARD PROCEDURE**, against Lieutenant Matthew Ungrey, are **SUSTAINED**

COMPLAINT DISPOSITION REPORT

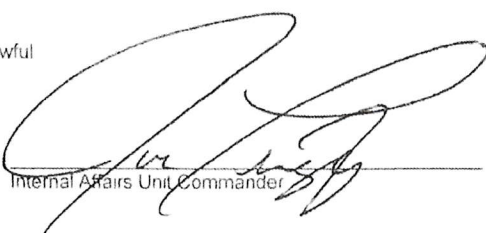
INTERNAL AFFAIRS UNIT
Grand Rapids Police Department
1 Monroe Center NW
Grand Rapids, MI 49503

DISPOSITIONS

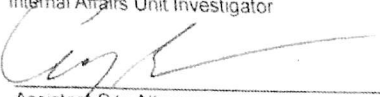
- ☒ SUSTAINED – Evidence was sufficient to prove the allegation(s)
☐ NOT SUSTAINED – Lack of sufficient evidence to prove the allegation(s)
☐ EXONERATED – The complained of act(s) did occur, but were justified and lawful
☐ UNFOUNDED – The complained of act(s) did not occur

 519
Internal Affairs Unit Investigator

5-11-21
Date


Internal Affairs Unit Commander

5-11-21
Date



Assistant City Attorney

5/11/2021
Date

Labor Relations

Date

APPROVED:


Chief of Police

5/11/21
Date

City Manager

Date

PROOF OF SERVICE

I hereby certify that I emailed the above **PLAINTIFFS' BRIEF IN RESPONSE TO DEFENDANTS CITY OF GRAND RAPIDS AND GRAND RAPIDS POLICE DEPARTMENT'S MOTION TO DISMISS**, regarding the above matter electronically on December 16, 2021 following:

Elizabeth J. Fossel (P41430)

Sarah J. Hartman (P71458)

Attorneys for Defendants

City of Grand Rapids Law Department

300 Monroe Ave. NW, Ste. 620

Grand Rapids, MI 49503

Ph: (616) 456-1318

By:



Tyrone Bynum (P82427)

Law Offices of Tyrone Bynum PLLC

161 Ottawa Ave NW

Suite #309

Grand Rapids, MI 49503

(616) 608-7409

Tyrone@LawOfficesofTyroneBynumPLLC.com